**IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL**

Original Jurisdiction

Dated: Nainital the 12th day of May, 2003

Criminal Misc. Bail Application Number 424 of 2003

**Order on the the Bail Application**

CRIMINAL SIDE

(1) Virendra Pal son of Visakha Ram and (2) Jasvindra Pal son of Visakha Ram, both residents of Sahid Bhagat Singh Nagar, Gali No. 1, village and police station Muktsir (Punjab), at present resident of Mehar Singh Azad Colony Govind Garh, P.S. Cantt., Dehradun

.....Applicant(s)

*Versus*

State of Uttaranchal. .....Opposite Party

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Arising out of - Case crime no.1 of 2003,
Under sections 363, 376 of I.P.C.,
P.S. Cantt.,
District Dehradun

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**By the Court**

**Hon'ble Irshad Hussain, J.**

Heard learned counsel for the applicant and the learned Government Advocate.

According to the prosecution version the victim Km. Bala Devi was forciably kidnapped and was gang-raped. No doubt there is delay in lodging the F.I.R. but the explanation has been given for the same in the F.I.R. itself. The victim had even received external injuries indicating that she was forciably subjected to intercourse. Considering this, it is not a fit case for bail.

Rejected.

Sd/-

12.05.2003/B.